

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

LEE VARNER,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:16-cv-13538-NGE-MKM
)	
NAVIENT SOLUTIONS, INC.,)	Hon. Nancy G. Edwards
)	
Defendant.)	
)	
)	

STIPULATION TO DISMISS

NOW COME Plaintiff Lee Varner and Defendant Navient Solutions, Inc. (“Defendant”),¹ by and through their respective counsel of record, and pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate and agree to the dismissal of this case without prejudice in favor of arbitration.²

Dated: November 22, 2016

<u>/s/ Adam T. Moss</u> Adam T. Hill KROHN & MOSS, LTD. 10 N. Dearborn St., 3 rd Floor Chicago, IL 60602 Telephone: (312) 578-9428 Facsimile: (866) 861-1390 <i>Attorney for Plaintiff</i>	<u>/s/ Irina N. Kashcheyeva</u> Irina N. Kashcheyeva FOLEY & LARDNER LLP 500 Woodward Ave., Suite 2700 Detroit, MI 48226 Phone: (313) 234-7170 ikashcheyeva@foley.com <i>Attorney for Defendant</i>
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¹ Navient Solutions, Inc. has been improperly named as the defendant in this case. The loans at issue belong to and are being serviced by Sallie Mae Bank and, thus, the parties have agreed that Plaintiff shall commence any arbitration arising out of the servicing of the loans against Sallie Mae Bank rather than Navient Solutions, Inc.

² Plaintiff is a party to, and a co-signer on, a Promissory Note containing an arbitration provision encompassing the claims asserted in Plaintiff’s Complaint.

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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November, 2016, a true and correct copy of the foregoing Stipulation to Dismiss and this Certificate of Service was served on all counsel of record via the CM/ECF system.

/s/ Irina Kashcheyeva
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